

IDAHO BARBER AND COSMETOLOGY SERVICES LICENSING BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 11/5/2018

BOARD MEMBERS PRESENT: Debra J Thompson - Chair
Merrilyn Cleland
Geneal Thompson
Thomas E Grimsman
K Ryan Nave
Wendy S Rucker
Lindy High

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Joan Callahan, Legal Counsel
Allegra Earl, Technical Records Specialist I

OTHERS PRESENT: Barbara DeHaan, Wendy Florence,
Robert Hernandez, Brock Cornlison

The meeting was called to order at 8:30 AM MST by Debra J Thompson.

Ms. Cory confirmed the next Board meeting was scheduled on February 4, 2018 at 8:30 AM.

Mr. Ellsworth reminded the Board that they would be hearing an oral argument at the February meeting, which had been rescheduled several times.

NEW BUSINESS

PROPOSED LAWS/RULES/COMMENTS

Ms. Callahan reviewed with the Board proposed changes to the pending rules and comments submitted on the rules.

The first proposed changes were to Rules 309 & 310 where the qualifications for an instructor license are listed. The proposed changes would clarify that an instructor may only practice and teach subjects for which they have been licensed to practice by the Board, and that the instructor exam for a cosmetologist would not be a separate requirement but would fulfill the 12 college credit education requirement.

Ms. Callahan then reviewed Rules 326, 327, and 328 regarding establishments. The clarification would allow the Board to put an establishment license out of business after a 30-day written notice was sent when there is documentation or evidence that the shop or facility is no longer in operation at the licensed location.

Ms. Callahan next discussed some proposed changes to Rule 500 regarding school requirements. The first change clarified that a barber chair is part of the required equipment for a barber school to be licensed. The next change clarified that an instructor may only teach subjects that the instructor has been licensed to practice by the Board. It also adds a section that was inadvertently left out that expressly allows a certain amount of outside-of-school activities approved by an instructor to count toward the instructional requirements.

Ms. Callahan next discussed with the Board proposed changes and comments regarding the safety and disinfection rules. First, the Board discussed adding the word "item" to minimize any confusion with the word "instrument."

Next she talked about the requirement that all instruments and items be cleaned and disinfected prior to use on a patron.

There was a comment received from a licensee who did not believe that hair rollers need to be cleaned and disinfected between patrons and only need to be cleaned regularly. Ms. Callahan reviewed the National Interstate Council of State Boards of Cosmetology (NIC) Infection Control Procedures, which require cleaning and disinfecting between clients. The Board asked those in the audience that work for schools what way students are being taught. Mr. R. Hernandez said that he is currently a student instructor at Paul Mitchell and they teach the students that hair rollers need to be clean and disinfected between each patron.

After some discussion the Board determined to leave the rule as is.

Ms. Callahan next discussed proposed changes to Rule 851.05. The first change would take out unclear language about where towels could be washed. The Board discussed advice from Leslie Roste, the National Director - Education & Market Development at King Research, and the risk to the client. The second related the need to cover the soiled linen containers. Ms. Callahan asked the Board if they wanted to change the rule and/or create a Frequently Asked Questions (FAQ) link for the website. The Board directed Ms. Callahan to take out "covered container" and leave in "vented sides."

Ms. Callahan reviewed a suggested change to the organization of Rule 851.06 into three subparts based on the type of instrument/item being addressed.

Ms. Callahan said that there had been several questions about the storage of the electrical corded equipment. Ms. Callahan said that she had talked to Ms. Roste for further clarification. Ms. Roste said that the cord would contaminate the disinfected if the cord is stored with the instrument. Ms. Roste also said that the biggest concern would be for clippers; the heat from a flat iron or blow dryer would likely kill pathogens. If a person wanted to put the disinfected equipment in a drawer and cord hangs out, that would be fine for infection control.

The Board added clarifying language to the rule.

The last proposed change is regarding whether the makeup in makeup displays need to be covered when not in use. The Board determined to leave the rule as is.

Ms. High made a motion to accept the changes as discussed; to direct Ms. Callahan to incorporate them in the pending rules; run to them by Ms. High; and publish the pending rule. Motion carried.

Ms. Cleland made a motion to have the Board Chair and Ms. High work with Ms. Callahan on drafting responses to the comments received on the pending rules. It was seconded by Mr. Nave. Motion carried.

EXECUTIVE SESSION

Ms. Cleland made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Mr. Nave. The vote was: Ms. D Thompson, aye; Mr. Grimsman, aye; Ms. Cleland, aye; Mr. Nave, aye; Ms. G Thompson, aye; Ms. Rucker, aye and Ms. High, aye. Motion carried.

Ms. Cleland made a motion to come out of executive session. It was seconded by Ms. G Thompson. The vote was: : Ms. D Thompson, aye; Mr. Grimsman, aye; Ms. Cleland, aye; Mr. Nave, aye; Ms. G Thompson, aye; Ms. Rucker, aye; and Ms. High, aye. Motion carried.

APPLICATIONS

Ms. Cleland made a motion to approve application 901162691 pending receipt of additional information. It was seconded by Mr. Nave. Motion carried

Ms. Cleland made a motion to approve applications for Patricia DeLorenzo and Andrew Solberg and issue licenses. It was seconded by Mr. Nave. Motion carried.

Ms. Cleland made a motion to accept the application of Melisa Kessel and issue a license. It was seconded by Ms. Rucker. Motion carried.

Ms. Cleland made a motion to deny the application of Talk of the Town based on Idaho Code § 54-5823 (7) & (10). It was seconded by Ms. G Thompson. Motion carried.

Ms. Cleland made a motion to approve application 901161128 pending receipt of additional information. It was seconded by Mr. Nave. Motion carried.

Ms. Cleland made a motion to approve the application of Rene Cohen and issue a license. It was seconded by Mr. Grimsman. Motion carried.

Ms. Cleland made a motion to approve the application of Sheree Henderson and issue a certificate. It was seconded by Mr. Nave. Motion carried.

Ms. Cleland made a motion to approve the application of Hang Ngo and issue a license. It was seconded by Mr. Nave. Motion carried.

APPRENTICESHIP

Ms. Cleland made a motion to approve the apprenticeship applications for Stephanie Stephens and Yulia Nelson. It was seconded by Ms. Rucker. Motion carried.

APPLICATION FOR RECONSIDERATION

Ms. Cleland made a motion to grant the reconsideration request from Nau Tran and issue a license. It was seconded by Mr. Grimsman. Motion carried.

SCHOOL APPLICATION

Ms. Cleland made a motion to approve application 901040044 pending receipt of additional information. It was seconded by Ms. Rucker. Motion carried.

CURRICULUM REVIEW

Ms. Cleland made a motion to accept the changes to curriculum and catalog requests from Academy di Firenze and Elevate Salon Institute. It was seconded by Mr. Nave. Motion carried.

ADJOURNMENT

Mr. Grimsman made a motion to adjourn the meeting at 10:21 AM MST. It was seconded by Ms. G. Thompson. Motion carried.

Debra J Thompson, Chair

Merrilyn Cleland

Geneal Thompson

Thomas E Grimsman

K Ryan Nave

Wendy S Rucker

Lindy High

Tana Cory, Bureau Chief